

## Martinez v. America's wholesale lender

From: **Michael Patrick Rooney** (mike@mikerooneylaw.com)

Sent: Tue 12/22/09 1:30 AM

To: kml@severson.com

Dear Mr. Lui-Kwan,

I am puzzled by your opposition to the motion to correct the record. First of all, the District Court Clerk is the one who suggested the Motion to Correct the Record.

Secondly, you have no reason to oppose the motion. Why would you want some pleading which is not the real pleading to be the operative pleading? I have sworn under the penalty of perjury that this new version is what we filed. It is not, as you put it "a different complaint." Its the EXACT SAME COMPLAINT, but with our Exhibit D as what we identified in the pleading.

I am asking you to withdraw your opposition to the ex parte. Otherwise, please explain to me, after I called you on the FIRST DAY I got this removal in the mail and told you this isn't what we filed, why are you doing this? What purpose could this possibly serve?

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